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Application No. Applicant(s) 10/675,152 GLENN, ROBERT C. Notice of Allowability Examiner Art Unit Joseph Chang 2817 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to the amendment of 6/10/05. 2. X The allowed claim(s) is/are 1,3,5-9,11,13,15-19,21 and 22. 3. The drawings filed on 29 September 2003 are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) 🔲 All b) ☐ Some* c) ☐ None 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date (b) I including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No,/Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. Interview Summary (PTO-413), Paper No./Mail Date 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08). 7. Examiner's Amendment/Comment Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit 8. Examiner's Statement of Reasons for Allowance of Biological Material 9. Other _____.

DETAILED ACTION

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In lines 3-4, Page 1 of the specification, the recitation "co-pending application No. (Attorney Docket No. P15921)" should be --co-pending application No. 10/673,803--.

Statement of Reasons for Allowance

Claims 1, 3, 5-9, 11, 13, 15-19, 21 and 22 are allowed.

As indicated in the previous Office Action, the following is an examiner's statement of reasons for allowance: the best prior art of record, Justice et al. taken alone or in combination of other references, does not teach or fairly suggest "a second switch", as set forth in the claims.

It is noted that the co-pending application, 10/763,803 has been compared with this application for any possible double patenting issue. The recitation "a second switch" as set forth in the claims distinguishes from the copending application and is patentably distinct.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Chang whose telephone number is 571 272-1759. The examiner can normally be reached on Mon-Fri 0700-1730.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph Chang Patent Examiner Art Unit 2817

loseph Chang